

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) An animal waste collection device for collecting waste into a bag without soiling a user of the animal waste collection device, the animal waste collection device comprising:

an elongated handle, the elongated handle comprising an actuator assembly at one end of the elongated handle;

a pick-up and collection device disposed at an end of the elongated handle from the actuator assembly, the pick-up and collection device comprising movable collection members and an elongated base member, the movable collection members being movably connected to the elongated base member, the elongated base member being fixed to the handle of the animal waste collection device;

a linkage operably connected at a first end to the actuator assembly and extending between the actuator assembly and the pick-up and collection device;

a transmission element operably connected to the linkage at the pick-up and collection device, the transmission element also being operably connected to the movable collection members for transmitting movement from the actuator assembly, through the linkage and the transmission element to each of the closure members to move each of the movable collection members between open and closed movable collection members positions; and

wherein the pick-up and collection device is adapted to receive a bag for receiving and storing animal waste collected by the animal waste collection device;

wherein the open end of the bag can be secured to the pick-up and collection device to provide access to an interior of the bag when the actuator assembly moves the movable collection members to the open position for collecting waste, further wherein the animal waste collection device can collect waste without soiling a user of the animal waste collection device nor soiling the animal waste collection device, and wherein each of the movable collection members are connected to the elongated base member in a pivoting movable configuration by at least one pin and are connected to the elongated base member by at least one biasing member, and wherein each movable collection member comprises a generally flat planar side, an angled connection side, an elongated side, and a collection side, and the movable collection members and the elongated base member are configured, so that when the animal waste collection device is in the closed position to form a substantially closed unit with openings at ends of a longitudinal axis of the pick-up and collection device, and the generally flat planar side of the movable collection member comprises a set of slots that cooperate with tabs and cutouts in the elongated base member to position and retain the biasing members on the pins, and further wherein the at least one biasing member each comprise a coil spring, the coil spring comprising at least two legs and a coiled body, the at least one pin extending through each coiled body of a respective biasing members, one of the legs of each respective biasing member extending onto the elongated base member and the other leg of the biasing members extends onto the respective movable collection members, and further the leg of the biasing members that is positioned on the elongated base member is essentially stationary during opening and closing of the movable collection members of the pick-up and collection device and the leg of the biasing members that extends onto the movable collection members moves with the respective movable collection member during opening and closing of the movable collection members of the pick-up and collection device.

2. (Original) A device according to claim 1, wherein each of the movable collection members are connected to the elongated base member in a pivoting movable configuration by at least one pin.

3. (Original) A device according to claim 1, wherein each of the movable collection members is connected to the elongated base member by at least one biasing member.

4. (Canceled)

5. (Original) A device according to claim 4, wherein the at least one biasing member each comprise a coil spring, the coil spring comprising at least two legs and a coiled body, the at least one pin extending through each coiled body of a respective biasing members, one of the legs of each respective biasing member extending onto the elongated base member and the other leg of the biasing members extends onto the respective movable collection members, and further the leg of the biasing members that is positioned on the elongated base member is essentially stationary during opening and closing of the movable collection members of the pick-up and collection device and the leg of the biasing members that extends onto the movable collection members moves with the respective movable collection member during opening and closing of the movable collection members of the pick-up and collection device.

6. (Original) A device according to claim 1, wherein the linkage comprises a linkage extension that leads from the transmission element to the closure member, wherein movement of the linkage can be transmitted to the linkage extension to move the closure member.

7. (Original) A device according to claim 1, wherein the actuator assembly is movable from a first position that corresponds to a closed position of the pick-up and collection device to a second position that corresponds to an open position of the pick-up and collection device.

8. (Original) A device according to claim 7, wherein the bag actuator assembly comprises a latch to hold the actuator assembly in the first position.

9. (Original) A device according to claim 7, wherein the actuator assembly comprises a button that is movable in a slot in the actuator assembly between the first and second positions.

10. (Original) A device according to claim 1, wherein the actuator assembly comprises a lever that is movable between the first and second positions.

11. (Original) A device according to claim 1, wherein the animal waste collection device further comprises biasing elements to bias the movable collection members to a closed position.

12. (Original) A device according to claim 1, wherein the bag comprises a complementary configuration to the pick-up and collection device.

13. (Original) A device according to claim 2, wherein the at least one pin extends from one side of the pick-up and collection device to the other side of the pick-up and collection device.

14. (Original) A device according to claim 13, wherein each pin comprises at least one unit can be molded with one of the movable collection members or the elongated base member, and then fit with the other of the movable collection members or the elongated base member.

15. (Canceled)

16. (Canceled)

17. (Canceled)

18. (Original) A device according to claim 1, wherein the elongated base member comprises a generally cylindrical elongated base member.

19. (Original) A device according to claim 7, wherein the bag actuator assembly comprises:

a lever,

a lever linkage, and

a linkage sliding holder,

wherein the lever comprises an elongated curved member with a contact surface that a user of the animal waste collection device will grasp and move to move the movable collection, the lever linkage connects the lever to the sliding holder to impart movement to the movable collection members to open and close the movable collection members.

20. (Original) A device according to claim 19, wherein the lever comprises a pivot pin that extends through the lever and into the handle, so that the pivot pin is held stationary with respect to the handle, an intermediate portion of the lever comprises another aperture through which a further pivot pin is inserted and is connected to the lever linkage, and wherein the sliding holder comprises the ends of linkages, so, the ends of linkages will move and impart movement to the movable collection members to open and close the movable collection members